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BROADCAST MUSIC, INC. et al.

8 UNITED STATES DISTRICT COURT  
9 NORTHERN DISTRICT OF CALIFORNIA  
10 SAN FRANCISCO DIVISION  
11

12 BROADCAST MUSIC, INC. et al,  
13 Plaintiffs,

14 v.

15 G&M GAME CORPORATION, KRAZY  
16 KOYOTE BAR & GRILL, GEORGE D.  
HEADLEY and MARCOS ANTHONY  
17 HEADLEY, each individually,

18 Defendants.

No. C07-02453 CRB

Action Filed May 8, 2007

STATUS REPORT

19 **STATUS REPORT**

20 On February 1, 2008, and upon request of the parties, the Court entered a Stay of  
21 Proceedings in this action. This Status Report is filed pursuant to the request of the Court  
22 for a report every thirty days detailing any events relevant to the continuing prosecution of  
23 this action.

24 Per the terms of the settlement between the parties, Plaintiffs have received an  
25 executed settlement agreement, post-dated settlement checks and a Stipulated Consent  
26 Judgment to be held in the event of the defendants' default on settlement payments. The  
27 initial settlement payment is due on February 28, 2008.  
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1 If the initial settlement payment check clears, Plaintiffs will dismiss the action,  
2 requesting that the Court retain jurisdiction solely for the purpose of entering the Stipulated  
3 Consent Judgment, should it be filed. If the defendants default on the initial settlement  
4 payment, Plaintiffs will file the Stipulated Consent Judgment.

5  
6 DATED: February 26, 2008.

7 Respectfully,

8 KAREN S. FRANK  
9 SARAH M. KING  
10 HOWARD, RICE, NEMEROVSKI, CANADY,  
FALK & RABKIN  
A Professional Corporation

11 By: Karen S. Frank  
12 KAREN S. FRANK

13 Attorneys for Plaintiffs BROADCAST MUSIC,  
14 INC. et al.

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HOWARD  
RICE  
NEMEROVSKI  
CANADY  
FALK  
& RABKIN  
A Professional Corporation

## PROOF OF SERVICE

I, Virginia Chabre, declare:

I am a resident of the State of California and over the age of eighteen years and not a party to the within-entitled action; my business address is Three Embarcadero Center, Seventh Floor, San Francisco, California 94111-4024. On February 26, 2008, I served the following document(s) described as **STATUS REPORT**:

- ☐ by transmitting via facsimile the document(s) listed above to the fax number(s) set forth below on this date before 5:00 p.m.
- ☒ by placing the document(s) listed above in a sealed envelope with postage thereon fully prepaid, in the United States mail at San Francisco, California addressed as set forth below.
- ☐ by transmitting via email the document(s) listed above to the email address(es) set forth below on this date before 5:00 p.m.
- ☐ by placing the document(s) listed above in a sealed Federal Express envelope and affixing a pre-paid air bill, and causing the envelope to be delivered to a Federal Express agent for delivery.
- ☐ by personally delivering the document(s) listed above to the person(s) at the address(es) set forth below.

Jeffrey E. Elliot  
28 North First Street, Suite 500  
San Jose, CA 95112-2440  
Fax No: 408.971.2788

I am readily familiar with the firm's practice of collection and processing correspondence for mailing. Under that practice it would be deposited with the U.S. Postal Service on that same day with postage thereon fully prepaid in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after date of deposit for mailing in affidavit.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct. Executed at San Francisco, California on February 26, 2008.

  
Virginia Chabre